

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

CHERYL WILCOX,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

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CAUSE NO.: 3:08-CV-428-TS

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Christopher A. Nuechterlein [DE 18], filed on July 28, 2009, regarding the Plaintiff's Complaint in this Court seeking a review of the final decision of the Commissioner of Social Security. The case was referred to the magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72(b), and Northern District of Indiana Local Rule 72.1(d)(1).

No objections have been filed to the magistrate judge's Report and Recommendation, and the time for filing such objections under Federal Rule of Civil Procedure 72(b) has expired. Therefore, the Court ADOPTS the Report and Recommendation [DE 18] in its entirety.

The Commissioner's final decision is REVERSED and REMANDED to the Commissioner for proceedings consistent with the magistrate judge's opinion.

SO ORDERED on August 17, 2009.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT
FORT WAYNE DIVISION